

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

NORMAN McINTOSH,)	
)	
Plaintiff,)	1:20 Civ. 0324
)	
v.)	Hon. Robert W. Gettleman
)	District Judge
CHESTER BACH, DAVID EVANS,)	
JOSEPH FRUGOLI,)	
)	
Defendants.)	

JOINT INITIAL STATUS REPORT

Plaintiff, Norman McIntosh, and Defendants Chester Bach, David Evans and Joseph Frugoli, by their respective attorneys, submit the following joint initial discovery plan pursuant to the Court's June 5, 2020 Order (Dkt. 31):

1. The parties have conferred and reached agreement on a plan for discovery. Accordingly, this initial discovery plan is being submitted to the Court jointly. Neither party will be submitting objections to this discovery plan.
2. In accordance with the Court's Order, the parties are in the process of serving new written discovery to each other, and will serve their respective initial disclosures by June 26, 2020.
3. With regard to discovery from the prior case that will be used in this case, the parties have reached agreement, as set forth below.
4. Documents: All documents produced in the prior case under Rule 34 and Rule 45 will be re-produced in this case.
5. Depositions: The parties agree to adopt and re-use all previously conducted

depositions, with one exception: Plaintiff will be deposed anew in this case. The parties agree to adopt and re-use the other twenty-one depositions previously conducted, identified below:

- a) Aaron Smith
- b) Ayo Woods
- c) Chester Bach
- d) Daniel Brannigan
- e) Joseph Frugoli
- f) James Hobson
- g) John Ball
- h) John Jarvis
- i) Joseph Patterson
- j) Joseph Stachon
- k) Julie Wessel
- l) Linda Engstrom
- m) Linda Schandon
- n) Louis Vasquez
- o) Michael Kennedy
- p) Richard Lombard
- q) Robert Williams
- r) Steven Wade
- s) Tenisha Young
- t) Vincent Wade
- u) William Svilar

6. In addition, none of the agreements above are intended as a waiver by Plaintiff or Defendants of any objections to the admissibility of documents or depositions re-produced or re-used in this case.

7. Likewise, for the depositions in *Norman McIntosh v. City of Chicago, et al.*, Case No. 17-cv-06357 that the parties have agreed to adopt and re-use in this case, the parties reserve the right to seek additional testimony from those witnesses, consistent with Rule 26 (b) (1) and (2) and Rule 30(a)(2), if appropriately warranted by developments in discovery. And the parties agree that Defendants are able to seek additional testimony from previously deposed third-party witnesses if Plaintiff's new discovery answers relating to his voluntary dismissal in *Norman McIntosh v. City of Chicago, et al.*, Case No. 17-cv-06357, Dkt. 133 (July 19, 2019) bear directly

on the previously provided testimony.¹

Dated: June 18, 2020

Respectfully submitted,

/s/ Anand Swaminathan

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¹ Plaintiff reserves the right to challenge whether his answers to new discovery about his voluntary dismissal bear directly on the previously provided testimony of third parties, and thus whether additional testimony should be allowed.